

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JANESSA NOVAK, individually and as Special Administrator for the Estate of Lance Novak, deceased, and on behalf of M.N., and H.N., minor children of the deceased,

Plaintiff,

v.

Case No.: 21-CV-81

MICHAEL MCILVAIN, in his individual capacity,  
HEATHER WHITE, in her individual capacity,  
JOSHUA DELONG, in his individual capacity,  
TODD LEONARD, M.D., in his individual capacity,  
JANE DOES 1-3, in their individual capacities,  
DOUGLAS COUNTY, AND MEND CORRECTIONAL CARE,  
PLLC.,

Defendants.

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**DEFENDANTS MICHAEL MCILVAIN, HEATHER WHITE, JOSHUA DELONG, AND DOUGLAS COUNTY'S ANSWER TO DEFENDANTS TODD LEONARD, M.D. AND MEND CORRECTIONAL CARE, PLLC'S CROSS-CLAIM**

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Defendants, Michael McIlvain, Heather White, Joshua DeLong, and Douglas County, by their attorneys, Crivello Carlson, S.C., submit the following Answer and Affirmative Defenses to the Defendants Todd Leonard, M.D. and MEnD Correctional Care, PLLC's Cross-Claim dated July 9, 2021, as follows:

1. Answering paragraph 1, the answering defendants reallege as if set forth herein their answers, denials, and defenses to the Amended Complaint.
2. Answering paragraph 2, admit.

3. Answering paragraph 3, lack information sufficient to form a belief, therefore deny and put the plaintiff to her proof.
4. Answering paragraph 4, deny.
5. Answering paragraph 5, lack information sufficient to form a belief, therefore deny and put the plaintiff to her proof.
6. Answering paragraph 6, deny.
7. Answering paragraph 7, admit.
8. Answering paragraph 8, lack information sufficient to form a belief, therefore deny and put the plaintiff to her proof.

**AFFIRMATIVE DEFENSES**

1. These answering defendants reallege as if set forth herein their affirmative defenses to the plaintiff's Amended Complaint.
2. These answering defendants reserve the right to name additional affirmative defenses, as they may become known through further discovery or other investigation in this action.

WHEREFORE, defendants, Michael McIlvain, Heather White, Joshua DeLong, and Douglas County, respectfully request the following relief:

1. for dismissal of defendants Todd Leonard, M.D and MEnD Correctional Care, PLLC's Cross-Claim upon its merits and with prejudice;
2. for the costs and disbursements of this action;
3. for the reasonable actual attorneys' fees pursuant to 42 U.S.C. § 1988; and
4. for such other relief as this Court deems just and equitable.

Dated this 17th day of August, 2021.

CRIVELLO CARLSON, S.C.

Attorneys for Defendants Michael McIlvain,  
Heather White, Joshua DeLong and Douglas  
County

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